

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Declaration for Patent Application

As a named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed) or an original, first and joint inventor (if plural names are listed in the signatory page(s) commencing at page 3 hereof) of the subject matter which is claimed and for which a patent is sought on the invention entitled

CHIMERIC PROTEINS FOR USE IN TRANSPORT OF A SELECTED SUBSTANCE INTO CELLS

the specification of which (check one)

☒ is attached hereto.

☐ was filed on _____ as
Application Serial No. _____
and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

<u>Prior Foreign Application(s)</u>			Priority Claimed	
_____ (Number)	_____ (Country)	_____ (Day/Month/Year filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____ (Number)	_____ (Country)	_____ (Day/Month/Year filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
_____ (Number)	_____ (Country)	_____ (Day/Month/Year filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information known by me to be material to patentability as defined in 37 C.F.R. §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing date)	(Status, patented, pending, abandoned)
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(Application Serial No.)	(Filing date)	(Status, patented, pending, abandoned)
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As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

I also hereby grant additional Powers of Attorney to the following attorney(s) and/or agent(s) to file and prosecute an international application under the Patent Cooperation Treaty based upon the above-identified application, including a power to meet all designated office requirements for designated states.

David E. Brook	Registration No. 22,592
James M. Smith	Registration No. 28,043
Leo R. Reynolds	Registration No. 20,884
Richard A. Wise	Registration No. 18,041
Patricia Granahan	Registration No. 32,227
Mary Lou Wakimura	Registration No. 31,804
Thomas O. Hoover	Registration No. 32,470
Alice O. Carroll	Registration No. 33,542
N. Scott Pierce	Registration No. 34,900

all of Hamilton, Brook, Smith and Reynolds, P.C., Two Militia Drive, Lexington, Massachusetts 02173;

and

Send correspondence to: Patricia Granahan, Esq.
Hamilton, Brook, Smith & Reynolds, P.C.
Two Militia Drive, Lexington, MA 02173

Direct telephone calls to: Patricia Granahan, Esq.

617-861-6240

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole
or first inventor Michael W. Heartlein
Inventor's
Signature _____ Date _____
Residence 167 Reed Farm Road
Boxborough, Massachusetts 01719
Citizenship U.S.A.
Post Office Address same as above

Full name of second joint
inventor, if any Jeffrey F. Lemontt
Second Inventor's
Signature _____ Date _____
Residence 165 Fairway Drive
West Newton, Massachusetts 02165
Citizenship U.S.A.
Post Office Address same as above

Full name of third joint
inventor, if any _____
Third Inventor's
Signature _____ Date _____
Residence _____
Citizenship _____
Post Office Address _____

Full name of fourth joint
inventor, if any _____
Fourth Inventor's
Signature _____ Date _____
Residence _____
Citizenship _____
Post Office Address _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Declaration for Patent Application

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Chimeric Proteins for Use in Transport of a Selected

Substance into Cells

the specification of which (check one)

☐ is attached hereto.

☒ was filed on June 6, 1995 as United States Application

Number or PCT International Application Serial No. 08/470,058

and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in 37 C.F.R. §1.56.

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Prior Foreign Application(s)

Priority
Not
Claimed

_____ (Number)	_____ (Country)	_____ (Day/Month/Year filed)	[]
_____ (Number)	_____ (Country)	_____ (Day/Month/Year filed)	[]
_____ (Number)	_____ (Country)	_____ (Day/Month/Year filed)	[]

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

(Application Number)

(Filing Date)

(Application Number)

(Filing Date)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information known by me to be material to patentability as defined in 37 C.F.R. §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing date)	(Status, patented, pending, abandoned)
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James M. Smith	Reg. No. 28,043	Alice O. Carroll	Reg. No. 33,542
Leo R. Reynolds	Reg. No. 20,884	N. Scott Pierce	Reg. No. 34,900
Patricia Granahan	Reg. No. 32,227	Richard A. Wise	Reg. No. 18,041
Mary Lou Wakimura	Reg. No. 31,804		

all of Hamilton, Brook, Smith and Reynolds, P.C., Two Militia Drive, Lexington, Massachusetts 02173;

and send correspondence to: Patricia Granahan, Esq.,
Hamilton, Brook, Smith & Reynolds, P.C.
Two Militia Drive, Lexington, MA 02173

Direct telephone calls to: Patricia Granahan, Esq.
Hamilton, Brook, Smith & Reynolds, P.C.
Two Militia Drive, Lexington, MA 02173

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole

or first inventor Michael W. Heartlein

Inventor's

Signature

Date

Residence

167 Reed Farm Road

Boxborough, MA 01719

Citizenship

U.S.A.

Post Office Address

same

Full name of second joint

inventor, if any Jeffrey F. Lemontt

Second Inventor's

Signature Jeffrey F. Lemontt Date Sept 12, 1995

Residence 165 Railway Drive
West Newton, MA 02165

Citizenship U.S.A.

Post Office Address same

Full name of third joint

inventor, if any Michael F. Concino

Third Inventor's

Signature Michael F. Concino Date Sept. 11, 1995

Residence 76 Athelstane Road
Newton, MA 02159

Citizenship U.S.A.

Post Office Address same

Full name of fourth joint

inventor, if any _____

Fourth Inventor's

Signature _____ Date _____

Residence _____

Citizenship _____

Post Office Address _____

Full name of fifth joint

inventor, if any _____

Fifth Inventor's

Signature _____ Date _____

Residence _____

Citizenship _____

Post Office Address _____

Applicant or Patented: Michael W. Heartlein and Jeffrey F. Lemontt Attorney's
Serial or Patent No.: 08/470,058 Docket No.: TKT93-01
Filed or Issued: June 6, 1995
For: CHIMERIC PROTEINS FOR USE IN TRANSPORT OF A SELECTED SUBSTANCE INTO CELLS

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(c) - SMALL BUSINESS CONCERN)

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf
of the concern identified below:

NAME OF CONCERN Transkaryotic Therapies, Inc.
ADDRESS OF CONCERN 195 Albany Street
Cambridge, Massachusetts 02139

I hereby declare that the above identified small business concern qualifies
as a small business concern as defined in 13 CFR 121.12, and reproduced in
37 CFR 1.9(d), for purposes of paying reduced fees to the United States
Patent and Trademark Office, in that the number of employees of the
concern, including those of its affiliates, does not exceed 500 persons.
For purposes of this statement, (1) the number of employees of the business
concern is the average over the previous fiscal year of the concern of the
persons employed on a full-time, part-time or temporary basis during each
of the pay periods of the fiscal year, and (2) concerns are affiliates of
each other when either, directly or indirectly, one concern controls or has
the power to control the other, or a third party or parties controls or has
the power to control both.

I hereby declare that rights under contract or law have been conveyed to
and remain with the small business concern identified above with regard to
the invention, entitled CHIMERIC PROTEINS FOR USE IN TRANSPORT OF A SELECTED SUBSTANCE
INTO CELLS by inventor(s) Michael W. Heartlein and Jeffrey F. Lemontt

described in

- ☐ the specification filed herewith
☒ application serial no. 08/470,058, filed June 6, 1995
☐ patent no. _____, issued _____

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME _____

ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME _____

ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING _____ Richard F. Selden

TITLE OF PERSON OTHER THAN OWNER _____ President and Chief Executive Officer

ADDRESS OF PERSON SIGNING _____ Transkaryotic Therapies, Inc.

195 Albany Street, Cambridge, Massachusetts 02139

SIGNATURE _____

DATE _____

080495